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SEP 10 2004Confirmation No. *IFW*

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/773,588
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al.
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25656A

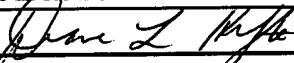
ENCLOSURES (Check all that apply)		
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<input type="checkbox"/> Remarks AUTHORIZATION TO CHARGE THE FEE AND ANY ADDITIONAL FEES AS NECESSARY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 21-0718 IS HEREBY GIVEN.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	J. Michael Dixon
Signature	
Date	

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450 on this date **9/7/04**

Typed or printed	Diane L. Hetzler
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Date	9/7/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PC25656A

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No : 10/773,588  
Applicant : Louis Chupak, et al  
Filed : February 6, 2004  
Title : Antibacterial Agents  
TC/A.U. : Unkown  
Examiner : Not Yet Known  
Docket No. : PC 25656A  
Customer No. : 28880  
Confirmation No :

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Statement as Provided by 37 CFR 1.97(b)**

Dear Sir:

The Applicants submit that a Supplemental Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of the first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

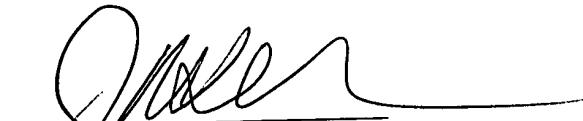
As such, the Applicants respectfully requests consideration of the enclosed Supplemental Information Disclosure Statement and request that all references cited herein be printed on the face of the patent upon grant of the Application.

A copy of the International Search Report and the Written Opinion of the International Searching Authority is enclosed for the Examiner's convenience.

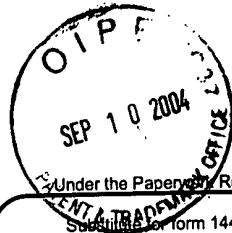
It is understood by the Applicants that this paper requires no fee; however, authorization is given to charge any necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

Dated: 9/3/04

Respectfully submitted,



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PTO/SB/08A (08-03)

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Substitute of Form 1449/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1 of 2

<b>Complete if Known</b>	
Application Number	10/773,588
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25656A

**U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		T <sup>6</sup>
		WO02/059115A	08-01-2002	Pharmacia & UPJOHN	

Examiner Signature	Date Considered
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.  
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450, Alexandria, VA 22313-1450.

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SFP 1 0' 2004

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		Examiner Name	Not yet assigned
Sheet	2	of	2
		Attorney Docket Number	
		PC25656A	

## NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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